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16 Attorneys for Defendant
17 DISH Network Corporation, et al.

18 IN THE UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

20 ENTROPIC COMMUNICATIONS,
21 LLC,

22 Plaintiff,

23 v.

24 DISH NETWORK CORPORATION;
25 DISH NETWORK L.L.C.; DISH
26 NETWORK SERVICE L.L.C.; AND
DISH NETWORK CALIFORNIA
SERVICE CORPORATION,

27 Defendants.
28

Case No. 2:23-cv-1043-JWH-KES

**DEFENDANTS' APPLICATION FOR
LEAVE TO FILE UNDER SEAL
REPLY IN SUPPORT OF
DEFENDANTS DISH NETWORK
CORPORATION, DISH NETWORK
L.L.C., AND DISH NETWORK
SERVICE L.L.C.'S MOTION TO
DISMISS FOR IMPROPER VENUE
UNDER RULE 12(b)(3)**

District Judge: Hon. John W. Holcomb
Magistrate Judge: Hon. Karen E. Scott

Pursuant to Civil Local Rule 79-5.2.2(a), Defendants DISH Network Corporation, DISH Network L.L.C., and Dish Network Service L.L.C. (collectively, “DISH Colorado”) file this Application for Leave to File Under Seal the following unredacted information referenced in DISH Colorado’s Reply In Support of DISH Colorado’s Motion to Dismiss for Improper Venue Under Rule 12(b)(3), which discusses the content of documents marked confidential by DISH Colorado.

Each portion of the documents referenced in the chart below have been designated as confidential and/or Attorneys’ Eyes Only (“AEO”) by DISH Colorado. (See Sealed Declaration of Taylor Burgener in Support of DISH Colorado’s Application for Leave to File Under Seal (“Sealed Name Decl.”) ¶¶ 3-4.) DISH Colorado therefore applies to file such documents and information under seal pursuant to Local Rule 79-5.2.2(a).

The information to be sealed is identified below:

Document to be Sealed Pursuant to L.R. 79-5.2.2(a)	Description of Information
DISH Colorado’s Reply in Support of its Motion to Dismiss for Improper Venue Under Rule 12(b)(3) (“Reply”) at 5:7.	Contents of document designated as confidential or Attorneys’ Eyes Only (“AEO”) by DISH Colorado.
Reply at 6:13-14.	Contents of document designated as confidential or AEO by DISH Colorado.
Reply at 6:16-17.	Contents of document designated as confidential or AEO by DISH Colorado.
Reply at 6:17-18.	Contents of document designated as confidential or AEO by DISH Colorado.
Reply at 6:19-20.	Contents of document designated as confidential or AEO by DISH Colorado.

1	Reply at 6:20-21.	Contents of document designated as confidential or
2		AEO by DISH Colorado.
3	Reply at 6:22-23.	Contents of document designated as confidential or
4		AEO by DISH Colorado.
5	Reply at 6:25.	Contents of document designated as confidential or
6		AEO by DISH Colorado.
7	Reply at 7:1.	Contents of document designated as confidential or
8		AEO by DISH Colorado.
9	Reply at 7:3-4.	Contents of document designated as confidential or
10		AEO by DISH Colorado.
11	Reply at 7:5-6.	Contents of document designated as confidential or
12		AEO by DISH Colorado.
13	Reply at 7:7.	Contents of document designated as confidential or
14		AEO by DISH Colorado.
15	Reply at 8:13-14.	Contents of document designated as confidential or
16		AEO by DISH Colorado.
17	Reply at 9:3-4.	Contents of document designated as confidential or
18		AEO by DISH Colorado.
19	Reply at 9:6.	Contents of document designated as confidential or
20		AEO by DISH Colorado.
21	Reply at 9:17.	Contents of document designated as confidential or
22		AEO by DISH Colorado.
23	Reply at 9:18-19.	Contents of document designated as confidential or
24		AEO by DISH Colorado.
25	Reply at 9:19-20.	Contents of document designated as confidential or
26		AEO by DISH Colorado.
27	Reply at 9:21.	Contents of document designated as confidential or
28		AEO by DISH Colorado.

1	Reply at 9:22.	Contents of document designated as confidential or
2		AEO by DISH Colorado.
3	Reply at 9:23-24.	Contents of document designated as confidential or
4		AEO by DISH Colorado.
5	Reply at 9:27-28.	Contents of document designated as confidential or
6		AEO by DISH Colorado.
7	Reply at 10:1.	Contents of document designated as confidential or
8		AEO by DISH Colorado.
9	Reply at 10:4-5.	Contents of document designated as confidential or
10		AEO by DISH Colorado.
11	Reply at 10:7.	Contents of document designated as confidential or
12		AEO by DISH Colorado.
13	Reply at 10:8-9.	Contents of document designated as confidential or
14		AEO by DISH Colorado.
15	Reply at 10:12-15.	Contents of document designated as confidential or
16		AEO by DISH Colorado.
17	Reply at 10:16-17.	Contents of document designated as confidential or
18		AEO by DISH Colorado.
19	Reply at 10:18-20.	Contents of document designated as confidential or
20		AEO by DISH Colorado.
21	Reply at 10:20-25.	Contents of document designated as confidential or
22		AEO by DISH Colorado.
23	Exhibit 4 to Reply.	Document designated as confidential by DISH
24		Colorado.
25	Exhibit 5 to Reply.	Document designated as AEO by DISH Colorado.
26	Exhibit 6 to Reply.	Document designated as AEO by DISH Colorado.
27	Exhibit 9 to Reply.	Document designated as AEO by DISH Colorado.
28	Exhibit 10 to Reply.	Document designated as AEO by DISH Colorado.

1	Exhibit 11 to Reply.	Document designated as AEO by DISH Colorado.
2	Exhibit 12 to Reply.	Document designated as AEO by DISH Colorado.

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4 Pursuant to Local Rule 79-5.2.2(a), DISH Colorado applies to file under seal

5 the documents listed above. Under Rule 79-5.2.2(a), a party may seek leave to file a

6 document under seal so long as the Application describes the nature of the information

7 that should be closed to public inspection and is accompanied by: (1) a declaration

8 establishing good cause why the strong presumption of public access in civil cases

9 should be overcome and informing the Court whether anyone opposes the

10 Application; (2) a proposed order; (3) a redacted version of the relevant documents;

11 and (4) an unredacted version of the relevant documents. DISH Colorado has

12 complied with these requirements. The information that DISH Colorado seeks to seal

13 is contained within documents designated as confidential and attorneys' eyes only by

14 DISH Colorado and consists of internal business records. DISH Colorado marked

15 these documents in this manner because it does not believe that the public has an

16 interest in accessing this confidential information. Additionally, DISH Colorado's

17 request is narrowly tailored to only prevent the public from viewing confidential

18 information. Finally, counsel for Entropic indicated that they do not oppose DISH

19 Colorado's Application.

20 Therefore, compelling reasons exist to seal the highlighted portions of the

21 above documents. *See Aya Healthcare Servs., Inc. v. AMN Healthcare, Inc.*, 2020

22 WL 1911502, at *5 (S.D. Cal. Apr. 20, 2020) ("The Court agrees that compelling

23 reasons exist to seal references . . . to Defendants' proprietary business records that

24 detail sensitive financial terms, proprietary business strategies, and confidential

25 negotiations and agreements with third parties."); *In re Qualcomm Litig.*, 2019 WL

26 1557656, at *3 (S.D. Cal. Apr. 10, 2019) (granting motions to seal "confidential

27 business information of the parties, including trade secrets, proprietary business

28

1 records, discussions of internal strategy, company dealings, and materials designated
2 as ‘Highly Confidential’”).

3 Accordingly, DISH Colorado respectfully requests that this Court order the
4 unredacted documents to be filed under seal. Concurrent with this filing, DISH
5 Colorado has filed redacted versions of these documents with the Court, which only
6 redact information necessary to protect information that DISH Colorado have marked
7 as confidential or attorneys’ eyes only.

8 A proposed order granting this Application has also been filed.
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1 Dated: September 22, 2023

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